(194) Department

Rs. SERIES.

G.O. NO. 41 (Confidehtial)

Dated 7th January 1950

Development Department.

Extract from the Current file - page No.15.

Memo No.62867-BII/47-3 dated 31.10.47.

Sub: Co-operative Societies - The Hospet Co-operative stores - Bellary Dt. Misappropriation by the Ex-President and others - Prosecution - orders passed.

Ref: From Sri R.Chenchanna, Hospet; petn.dated 23.7
From the R.C.S.Rc.2498/45-B dated 3.8.47
From the D.M.Bellary, No.1638/47 Magl.dated 4.

The Government consider that the case against Sri R. Chenchanna and others need not be withdrawn. They however observe that the case has been pending for over two years. The D.M. Bellary, is requested to issue instructions to speed up the proceedings and report the circumstances under which case is dragging on.

2. The petition is rejected.

RK.30.10.47 A.R.30.10.47 V.K.R.30.10.47 WRS 31.x.47

the D.M.Bellary;
the R.C.S.
Sri R.Chenchanna
Second Asst.B.A:B.Ed.
(under suspension)
Municipal High School
Hospet (Para 2 only)
Bellary DT

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Bellary

Copy of Collector's letter No.1636/47 Magl. dated 16.12.47 addressed tothe Secretary to Government, Development Department Madras.

- -

Sub: Co-operative societies - the Hospet Co-operative Stores - Bellary District Mis-appropriation by Ex-President and others - prosecution orders passed - report submitted.

Ref:Government Memorandum No.62857/BII/47-3 dated 31.10.47.

I enclose herein a copy of the Bellary Additional First Class Magistrate's reference 46/47 dated 30.11.47 which gives in detail the circumstances under which the case is dragging on.

District Magistrate.

- -

Copy of R.C.No.46/47 dated 30.11.47 to the District Magistrate, Bellary.

Criminal justice - Bellary district - Hospet taluq and town co-operative stores - Misppropriation of funds by the President and others - prosecution delay in the disposal of the case - report submitted.

Ref: Your C.No.1636/47Magl. dated 14.11.1947.

This case was first taken on file on 25.10.44 by Mr. P.S.Viswanatha Ayyar the then J.M.Magistrate, Hospet. Before he could enquire into the case he was transferred from Hospet and so he handed over the file to his successer the late Mr.Vazuiddin Sahib on 27.12.1944.

2/ Mr.Vajiuddin Sahib took the case in right earnest on 29.1.1945 and he completed the recording of evidence for the prosecution by 26.5.1945. He heard arguments on two days on 9th and 10th June 1945 and as he was transferred he left the place 15.6.45 without passing any orders or framing a charge.

Mr.Abdul Rahiman sahib who succeeded Mr.Vajuddin did not proceed with the case. He applied for a transfer of the case from his file which was refused. Then the vakils for the accu applied for a transfer and finally the case was transferred to the file of the Sub Divisional Magistrate, Bellary, 26.11.45.

3/ The Sub-divisional Magistrate, Bellary Mr.Paroki Sahib took the case on the file on 11.2.1946 and he left the post in April 1946 and during this period he did not take any action His successors Messrs.Padavachi and Pitchi Reddy though they had the file for over six months with them did not examine any witness. ~~xxhexx~~ They tried more than once to get rid of the cas and finally the case was transferred to my file on 4.8.47. As the case is a voluminous one with one gunny bag load of records it took me a month to search and recover all the exhibits from the several courts. Finally I got all the records from the Sub-divisional Magistrate, Bellary on 7.5.47. On 27.5.47 I heard arguments, examined the accused and framed charges in the case, and I finished the further cross examination of the P.Ws., after the charge by 19.6.47. The work could not be pushed though quickly ~~afterxthe xharge~~ as most of the P.Ws., who were the officials of the co-operative department were scattered all over the presidency and to get at their correct addresses and summon them it took me nearly three months. Out of 19 witness only three were left over and before they were examined the records were taken away from me on 6.9.47 stating that they were wanted by Government to consider a withdrawal application.

the records are now returned to me and I have posted the case to 9.12.4 for the appearance of the accused. It may take another two months to dispose of the case after completing the further cross examination of the three P.Ws., and examining the D.Ws., if any.

3 Thus I submit that there was no delay in this court and the dead period was from 15.6.45 to 7.5.47 and the records were then in the hands of about half a dozen subdivisional Magistrates of Hospet and Bellary and as they were then saddled with other urgent work such as procurement of food grains etc., and as they could not bestow their attention to this heavy case of outstanding importance. Mr.Padayachi even suggested the appointment of a special Magistrate considering the voluminious evidence recorded by the Joint Magistrate, Hospet, and number of exhibits marked in the case. But the district Magistrate was not pleased to approve then.

Sd
Addl.First Class Magistrate,
(True copy) Bellary.

Copy of Memo No.62857-BII(2)/47 daed 1.3.1948. from the Secretary toGovt. Development Department to the Board of Revenue, Madras.

Sub: Co-operative Societies - The Hospet Co-operative Stores - Bellary district - Misappropriation by Ex-President and others - Criminal prosecution delay in the disposal of the case - explanation called for.

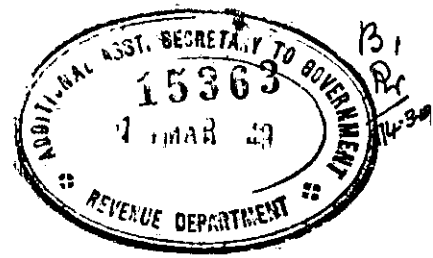
Ref: From the Collector of Bellary Letter No.1636/47 Magl. dated 16.12.1947.

A copy of the Bellary Additional First Class Magistrate's Ref. No.46/47 dated 30.11.47 enclosed with the letter cited is communicated to the Board of Revenue. The Board is requested to obtain the explanation from Messrs.Mr.Abdul Rahiman Sahib, Faroki Sahib, Padayachi and Pitchi Reddy why they took no action to proceed with thex case while they were S.D.Ms., Bellary and to submit them with its remarks.

V.K.R.
10.2.48.

CVN
1.3.48.

Confidential:



REVENUE DEPARTMENT

Subject

MD. ABDUL RAHIMAN SAHIB BAHADUR AND OTHERS - Deputy Collectors - Delay in disposal of the Hospet Co-operative Stores - Misappropriation case - Bellary - Explanations submitted.

Ref.No.D.2286/48-3(Confdl).

Station;-Madras. Dated 10th March 1949.

From

K.N. Anantaraman Esq., I.C.S.,
Secretary, Board of Revenue, Madras.

..

W.R.S. Satthianathan Esq., I.C.S.,
Commissioner of Land Revenue & Commercial Taxes.

Read:- From the Government, Development Department, Memorandum No.62857-BII/47 dated 1-3-48.
From the Government, Revenue Department, Memo.No.14603-B/ /48-1, dated 14-5-1948.
Board's Ref.D.2286/48-2, dated 21-5-1948.
From the Revenue Secretary, D.O.Confdl.No.14603-B/48, dated 28-2-49.

REFERENCE:

The Board submits to the Government the explanations obtained from Messrs.Abdul Rahiman Sahib, M.Padayachi and Pitchi Reddi over the delay in the conduct of the Criminal case in

in which the ex-President and others of the Hospet Co-operative Stores, Bellary, were involved. On an examination of their explanations the Board finds that, while it is difficult to hold any one seriously to blame, there was a general dilatoriness throughout, and a general lack of awareness of the long pendency leading to no special effort on the part of the authorities to get a move on, and that adjournments were throughout given on very flimsy grounds. B

Secretary.

To

The Secretary to Government, Revenue Department, Madras
(with enclosures in original).

From

S. Abdul Rahman Sahep Bahadur,
Revenue Divisional Officer, Mangalore.

To

The Secretary to the Board of Revenue,
MADRAS

Through
The Collector of
Bellary.

Sir,

CO-OPERATIVE SOCIETIES - The Hospet Co-operative Stores - Bellary District - Misappropriation by the ex-president and others - Criminal prosecution - Delay in the disposal of the case - Explanation - Submitted.

Ref:- Board's Confidential Ref.No.D.2286/47-1(C) dated 12-3-48 received with South Kanara Collector's D.O.C.No.5992/48-A2 dated 15-3-48.

I took charge of Hospet division on 18-6-45. I was invested with First Class Magisterial powers about the 1st week of July 1945. P.W.1 Mr. Muhammad Ismail, who investigated this case, and sent up his report for the sanction of prosecution of the accused is my son-in-law. I, therefore brought this fact to the notice of the Collector immediately after I took charge and requested him to transfer the case to the file of some other Magistrate. The Collector refused to transfer the case. On receipt of orders, the case was posted for further proceedings. In the meanwhile the lawyers for the accused applied for a transfer of the case to the District Magistrate who again rejected the application. They then moved the High Court, in the matter and the case was transferred to the file of the Sub Divisional Magistrate, Bellary. Orders transferring the case were received from the High Court about the end of November, 1945. On receipt of orders from the High Court, I immediately sent the records to the Sub Divisional Magistrate Bellary.

the transfer of the case on both the occasions and also the dates on which the counsels for the accused filed applications for the adjournment of the case on the ground that they had moved the District Magistrate and the High Court for the transfer of the case.

From

Sri M. Muthuswamy,
Treasury Deputy Collector,
Ramnad at Madura.

To

The Secretary Board of Revenue,
Land Revenue Excise and Prohibition,
M A D R A S.

Through

The Collectors
Bellary and Ramnad.

Sir,

Ref: Board's Reference confidential No.D. 2286-47--1 (C) dated 12-3-48.

I was Revenue Divisional Officer, Bellary for three and half months from 15-4-46 to 31-7-46. This ~~is~~ was a very critical period for the following reasons. The whole Division was in the grip of stark famine. Rural Rationing was started late in the ceded Districts and on different lines. Block Registers and A & B Registers were not prepared in a large number of villages in all the three Taluks of the Division when I took charge. Import of food grains was quite inadequate and local procurement was poor. Soon after I joined, I received a confidential communication not put up from Government through the Collector throwing on the Revenue Divisional Officer the entire responsibility of feeding the people by adequate procurement of grains and strict rationing. This order commanded the Revenue Divisional Officer to give strict priority to this work. I was touring villages day and night in all the three taluks, procuri grains, checking block lists, eliminating surplus

producers from the ration register, classifying rice eaters and millet eaters, supervising cash and grain doles to the eligibles for gratuitous Relief, and milk supply to children and pregnant mothers, inspecting famine works and wells constructed under the subsidy scheme, verifying stock of food grains in the Taluk and Sub Depots and their movements and attending to ever so many miscellaneous items of work in the famine stricken area. In the wake of my joining the Division H.E. the Governor's first tour in the province after he assumed office was fixed up in Bellary District and he visited Bellary in the second week of May 46 to study Rural Rationing in the famine area. After the popular Ministry assumed office on the first of May 1946, the Honourable Ministers began arriving at Bellary to study the famine conditions. I had to spend a lot of my time in connection with these gubernatorial visits.

2. Then came the azmoish and dry remission followed by the Jamabandy of all the three taluks. Soon after the Jamabandy was over I had to attend to the formation of Village Committees and Taluk Committees at the end of June 46 and beginning of July 46. The threatened Railway Strike and Postal strike also had their demand on my time. Owing to heavy pressure of work and constant tours my health was shattered and I had to go on leave within a short period. My F.W. diaries during the period may be perused to form an idea of my tours and turn over.

3. As regards magisterial work, the file was heavy when I took charge. A new Dy Collector (Mr. Haridoss) was posted to Hospet Division and all the pending appeals of that Division were transferred to my file. There were already four or five calendar cases on my file transferred from Hospet and Adoni Divisions in addition to Criminal cases, Security cases, appeals and Miscellaneous cases of my Division. One of these transferred cases was a sensational one in which an Asst. Rationing Officer of Hospet was charged for bribery. I had almost completed the trial and would have disposed of the case myself but for the tactics played by the defence to prolong it after knowing my going on leave. I remember I had left very few cases pending.

4. The case in question was one of those transferred to the Sub Divisional Magistrate, Bellary. My predecessor had left it untouched. There was no Magisterial clerk when I took charge, and a Revenue clerk was in additional charge. Then two clerks who succeeded each other in quick succession were transferred within a month. Soon after I took charge-- I think at the end of April or the beginning of May-- I set a part a convenient day to look into the case records in question. The exhibits were all lumped in a wooden box and a gunny bag. I thought it would take me at least a week to go though the exhibits arrange them and read them with the voluminous evidence. I distinctly remember that the deposition of P.W.1 alone covered about 300 pages. I thought it would be practically impossible for me to go on with the case without

detriment of food supply work and famine works. The case was transferred to the Sub Divisional Magistrate because the then Sub Divisional Magistrate Hospet (Mr. Abdul Rahim) Happened to be the father-in-law of P.W.1. This officer had been transferred when I joined Bellary. So I suggested to the then District Magistrate (Mr. R.D. Paul) that the case may be re-transferred to Hospet in the interests of all concerned. But he turned down my request and returned the records at the end of May I think. Then again I made a serious attempt to push through the case and made out a list of exhibits which ran into several hundreds and went through the evidence. But my attempt was cut short by several items of emergent work mentioned in paragraph.1 Then I tried to reason with the second District Magistrate (Mr. Virupakshá Chetti) and submitted a lengthy report to him in which I urged the appointment of a special Magistrate if the case could not be re-transferred to Hospet or transferred to the Addl. First Class Magistrate. He too was not pleased to accede to my request. I remember the records were returned to me some time in July 46. The famine Commissioner Sir G.W. Priestley was touring the Bellary famine area for about a week when the present Collector took charge. I was engaged with him throughout this time and left the Division on leave on 1-8-46.

5. This is a case of Criminal conspiracy and misappropriation of public money on a number of counts. It is a common feature that special Magistrates are appointed to try cases of less importance and magnitude. It is a pity that the case in question should have been charged before the Sub Divisional Magistrate. and transferred to the Sub Divisional Magistrate of

a Head Quarters Division at a time when the District was in the tight grip of famine and the Revenue Divisional Officer was running about to find food and succouring relief to people to prevent death from starvation.

b/ The Magistrate who recorded evidence in the first instance took 4 months to close the prosecution by sitting day to day, if I remember correct. After reaching the first stage on 26-5-45 he adjourned the case to 9th and 10th June 45 to hear arguments. But he left the place on transfer on 15-6-45 without examining the accused and without either framing a charge or passing an order of discharge. Naturally he was the fittest person to arrive at a decision after having heard the prosecution throughout and heard arguments also. The fact that he could not arrive at a decision one way or other before he left the place would itself disclose the complexity of the case and the magnitude of the evidence. As already explained above I would have required at least a week's time to go through the evidence with the exhibits to assimilate it and to hear arguments if necessary before coming to a decision But unfortunately I could not snatch even a single full day to devote to this work in the midst of my multifarious emergent works mentioned above. After all the case has been transferred to the Addl. First Class Magistrate nearly 8 months after I had left the place. This above confirms the difficulties, I expressed as Sub Divisional Magistrate to the successive District Magistrates. If my proposal had been accepted then, the case would have reached the stage of disposal 9 or 10 months earlier. I therefore

submit that I did not shirk duty and that the delay was unavoidable. I request that the Board will be pleased to read my two reports as part of my explanation and exonerate me.

30/3/48

Treasury Deputy Collector,
Ramnad at Madura.

From
Sri.Y.pitchi Reddi,B.A.,
Revenue Divisional Officer,
Bellary.

To
The Collector,
Bellary.

Sir,

Sub:- CRIMINAL JUSTICE - Bellary district - Hospet taluk and town - Co-operative Stores - Misappropriation of funds by the President and others - Prosecution Delay in the disposal of the case - explanation - called for - submitted -

Ref:- Your Rc.No.2892/48.A4., Dated 16-3-1948.

I submit herwith my explanation in obedience to your reference cited above.

2. I took charge of this division on 1-8-1946. The case referred to above (C.C.No.5/46) on the file of this Court was posted to 3-8-1946 by my predecessor (Sri Muthuswamy Padiyachi). As the accused were absent and as I had not been invested with jurisdiction powers, the case had to be adjourned to 19-8-1946 by me. Meanwhile on account of heavy criminal work, intensive procurement work and Rural Rationing I submitted to the District Magistrate in this office Rc.122/46 dated 10-8-1946 the case records in this case along with some other cases for transfer to the file of the Additional 1st Class Magistrate, Bellary.

3. In the circumstances stated above I submit there was no delay on my part in the disposal of the case in this Court.

Revenue Divisional Officer.

2-4-49 Rev. Dept.

Memo. No. 11603 B/48-5 dated 25-4-49.

Dy. Collector — Sub divisional magistrate — Delay in disposal of the Hospet Co-operative Stores' misappropriation case, ~~Bell~~ - Explanations.

From the Board of Rev. Ref. D. 2286/48-3 dated 10-3-49.

The Board of Rev. requested to ~~obtain~~ furnish extracts from the magisterial diary relating to the trial of the Hospet Co-operative Stores' misappropriation case and pertaining to the periods when the three Sub divisional magistrates were in charge. The Board also desires to assess with reference to these extracts and with reference to the explanations offered by the officers how far each of them was to blame for the dilatoriness and lack of awareness o

Special effort ~~on the part of~~ the
officers Concerned to get a move on in the disposal of the matter.
One of the reasons urged in regard to the delay is that
frequent adjournments were granted
for the flimsy frivolous
on flimsy grounds. The explanations
of the officers concerned are enclosed for reference
And return.

The responsibility of officers in this respect should also be assessed individually

11/2/76

Confidential:

REVENUE DEPARTMENT

Subject

DEPUTY COLLECTOR - Sub-Divisional Magistrates - Delay in the disposal of the Hospet Co-operative Stores - Misappropriation case - Explanation.

- -

Ref.No.D.2286/48-4(C).

Station:-Madras. Dated 20th May 1949.

From

K.N. Anantaraman Esq., I.C.S.,
Secretary, Board of Revenue, Madras.

--

V.N. Kudva Esq., I.C.S.,
Commissioner of Land Revenue, Excise & Prohibition.
V.S. Hejmadi Esq., I.C.S.,
Commissioner of Civil Supplies & Separate Revenue.
W.R.S. Satthianathan Esq., I.C.S.,
Commissioner of Land Revenue & Commercial Taxes.

--

Read:- From the Government, Revenue Department, Memorandum No.14603-B/48-5, dated 25-4-49.

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REFERENCE:

With reference to their Memorandum cited above the Board submits to the Government the calendar of extracts from the magisterial diary relating to the Hospet Co-operative Stores Misappropriation case. The Board has once again examined the explanations of the three Deputy Collectors with reference to the calendar of extracts, and it offers the following remarks:

(i) Mr.Abdul Rahaman Sahib as Sub Divisional Magistrate Hospet handled the case for 4 months and 27 days, during which period he gave 9 adjournments. The main reason for granting adjournments was that he applied for the transfer of the case as he found that one of the Prosecution witnesses happened to be his son-in-law. The Sub Divisional Magistrate could not have refused to grant adjournments on the ground that the transfer application was pending for a reason which he himself felt was a strong one.

(ii) Mr.M.Padayachi in handling the case for nearly 3 months and 10 days had given 6 adjournments. He admits quite frankly that he could not find the time to deal with the case. As the case was a definitely heavy one with voluminous evidence, he can hardly be blamed for being unable to make any progress at a time when he was asked to devote special attention to procurement.

(iii) Mr.Y. Pitchi Reddy who handled the case for nearly a month gave 2 adjournments. He applied for the transfer of the case to Additional First Class Magistrate, Bellary owing to heavy work and this was granted.

2. The Board observes that no doubt all the three Sub Divisional Magistrates are responsible to some extent in not taking up the case for trial. However in this particular case as attempts were made by the Co-operative Department to withdraw the case the Sub Divisional Magistrates naturally thought that it was not worthwhile hearing, and taking evidence in the case which was likely to be withdrawn But it is their duty to go on with the hearing. In the circumstances stated above the Board recommends that all the three Sub Divisional Magistrates may be warned especially Mr.Abdul Rahaman Sahib and Mr.M.Padayachi who may be severely warned.

3. The enclosures received with the above Memorandum, are enclosed.

Secretary.

To

The Secretary to Government, Revenue Department, Madras
(with enclosures in original)

PVV.20.5.

DOCKET EXTRACT FROM CC. 173/44 ON THE FILE OF THE JOINT MAGISTRATE HOSPET..

25-10-44. Taken on file and posted to 8-11-44 at Harapanahalli. Issue summons to accused and P.Ws.

8-11-44. Accused present. Witnesses absent. Case adjourned to 21-11-44 at Hospet.

21-11-44. The records are not yet ready. Pleader wants an adjournment. Adjourned to 6-12-44 at Hospet.

6-12-44.. Accused present? Witness absent. Adjourned to 15-12-44.

15-12-44. Accused present. This case cannot be completed and as I am handing over charge, case may be taken up by my successor Adjourned to 28-12-44 at Hospet.

27-12-44. As I will be going to Bellary on 28-12-44 on ther duty the case cannot be taken up. Adjourned to 10-1-45. at Hospet.

10-1-45. The police Sub Inspector present represents that the Asst. Public Prosecutor, Grade I who has to conduct the case is unable to come owing to preposted work at Bellary Witness also not come. Adjourned to 29-1-45.

29-1-45. Accused present. P.W.1. examined in full. Marked Exhibits A to D through him. Examined P.W.2 at length. Evidence not completed. Marked Exhibits E to K,K1, G 1 to G13, H to H 21 Adjourned to 2-2-45 for further evidence of the P.W.

2-2-45. Examined P.W.2. Marked Exhibits H.22 to 28, L. L-1, L-2 J-1, to J-20. ,M, M-1 to M.4 Evidence not completed . Adjourned to 10-2-45.

10-2-45 Examined P.W.2. Marked Exhibits N-1, to N-3, L-3 to L-8, N-4 to N-20, P-P 2, Q-R and S Series. Evidence not complete Adjourned to 1-3-45.at Hospet.

1-3-45. No time. Adjourned to 2-3-45 at 11 A.M. Continued the
2-3-45. examination of P.W.2. Marked Exibits H-29 to H 42, T and T.1 W to W-4, M-5, N-22 to N-50 . P series and series W Y series, "AA not yet closed, to be continued on 3-3-45.

3-3-45. Examined P.W.2. Marked Exhibits, BB series, CC, DD, EE, FF, GG, FF, KK, LL, and N-51 to N-61. Evidence in-completed Adjourned to 16-3-45 at Hospet.

16-3-45 Continued the examination of P.W.2 Marked Exhibits MM, NN, PP, QQ, RR, SS, TT, UU, VV, WW and ZZ series.. Evidence not completed. Adjourned to 17-3-45 for further examination.

17-3-45. Examined P.W. 2 and completed his evidence. Marked Exhibits AAA to EEE series. PP-2 PP105, BBB-2 to BBB10 and CCC-1 Adjourned to 16-4-45 for further evidence. Summon 3 P.Ws.

16-4-45. Cross-Examination of P.W.2 commenced. Not completed. Adjourned to 17-4-45 at Hospet-

7 -4-45. Pleaders want further time. to go through records and want time to cross examine the witness. Adjourned to 2-5-45 at Hospet

2-5-45. Continued Cross-examination, marked exhibits IV to XVI Adjourned to 3-5-45 Re-examination.

3-5-45. Completed the re-examination of P.W.2 Marked exhibits N.63 examined P.Ws. 3 to 6. Others absent. Marked Exhibits KKK5. Adjourned to 5-5-45.

Examined P.Ws . 7 to 14.. Marked Exhibits upto WWW Other witnesses absent. Adjournedto 17-5-45 at Hospet.

Examined P.Ws. 15 and 16 . Others absent. Adjourned to 26-5445 at Kudligi.

Examined P Ws. to 17 and 18 . Prosecution closes. Adjourned to 9-6-45 for further proceedings.

Heard arguments. Adjourned to 12-6-45 for further proceedings.

Heard arguments. Posted to 15 6-45 at Hospet. for further proceedings.

As I am proceeding on the case is adjourned to 30-6-45 at Hospet.

Powers not yet received . District Magistrate, Addressed. Adjourned to 16-7-45 at Hospet. Bind over the accused.

District Magistrate, addressed to transfer this case, Orders awaited. Adjourned to 31-7-45 at Hospet. Bind over the accused.

Accused present. District Magistrate's orders directing me to take up the case was received only yesterday. The prosecution is not present. Adjourned to 1[illegible]-945. at Hospet.

The pleader for the accused files petitions that an adjournment may be granted as the parties have moved the District Magistrate for transfer of this case. Adjourned to 3-9-45.

The accused have applied for a transfer of this case. District Magistrate's orders not yet received. Adjourned to 20-9-45 at Hospet. Bind over the accused.

District Magistrate's orders on the transfer petitionhas not yet been received.. Await orders Adjourned to 6-10-45 at Hospet.

District Magistrate's orders on the transfer petitionhas not yet been received Await . Adjourned to 23-10-45 at Hospet. Bind over accused.

The advocates for the accused wants to move the High court for a transfer and have filed a petition under section 526 (c) Cr.P.C. and wants a month's adjournment. Orders passed. Adjourned to 23-11-45 at Hospet

Orders transferring the case not received from High court. All the accused present. Case adjourjed to 5-12-45 at Hospet Bind over the accused.

Orders transferring the case to the file of the of the Sub Divisional Magistrate, Bellary received from the High court, Madras, Advanced and case records transferred to the file of of the Sub-Divisional Magistrate, Bellary.

EXTRACT OF THE DIARY REGISTER (SESSIONS AND MAGISTRATES COURTS)

Court of the Sub Divisional Magistrate, BELLARY. Year, 1946

CC. No. 5/46.

Name of complainant:- S.H.O.Hospet Cr.No 55/4

Number and name of accused. 1.R.Chanchaner.
2. K.Venkobarao.
3. R.Narasimhulu.
4. K.Palinatha Setty.

Offence complained of and section of law. sec. 409, 465 I.P.C. read with Sec. 120 B.I.P.C.

Purport of proceedings.

Read the case records received from the Sub Divisional Magistrate, Hospet Taken on file . Issue summons to accu Posted to 11-2-46.

The accused are present posted to 21-2-46 for considerat Asst. Public Prosecutor, Grade I and Station House Offic Hospet informed in person. Bind over the accused.

The accused are present. Adjourned to 1-3-46 for argument Asst. Public Prosecutor I. and Station House Officer, Hospet informed in person. Bind over the accused.

Asst. Public Prosecutor , I absent.Accused present Accused's counsels absent. A.P.P.I sends in a memo stat he is on C.L. and will not be in a position to attend ti 14-3-46. Adjourned to 14-3-46 for arguments as I am ne the case. Posted to 14-3-46 Bind over the accused.

Asst. Public Prosecutor I represents as that he had no time to prepare arguments and requestes an adjournment. Adjourned to 27-3-46. Bind over the accused. Defence cou informed in person.

Busy with Election returns and the visit of Regional comm ssioner of Civil Supplies adjourned to 11-4-46 t Rayad camp. Bind over

Rayadurg Jamabandi program-me cancelled. I had to go to

Read proceedings of the District Magistrate, Bellary C.M.P. 19/46. dated 17-5-46 declining to transfer C.C. 5/46 to the file of the Additional First Class Magistrate, In this case enquiry was completed by Sub Divisional Magistrate and he heard arguments on 9-5-45 and 10-5-45 and left the Division without proceeding further. 18 witnesses were examined for prosecution and a mass of exhibits were filed. My predecessor took up the case on file on 29-1-46 the case having been transferred to this court by the High court on 28-11-45. He posted the case for arguments but did not hear arguments till he left the division on 15-4-46. I have to study a mass of records to get acquainted with the case. The depostions of P W 2 alone covers 72 pages. As I am engaged in Rural Rationing intensive procurement, and Jamabaddi of all the three Taluks I have not time to study the records. Adjourned (1) to 10-6-46.

I have no time to study the mass of records and exhibits owing to Rural Rationing work, procurement work and the Hon'ble Ministers tour. Adjourned (3) to 21st.

Records submitted to the District Magistrates on 14-6-46 for appointing a special magistrate to try the case and to expedite its disposal Orders awaited. Adjourned (5) to 8-7-46.

Read proceedings of District Magistrate's L Dis. 1150/46 dated 22-6-46 received on 27-6-46 declining to transfer the case. Records received to day. Sub Divisional Magistrate is sick. Adjourned (7) to 20-7-46. Issued summons to the accused.

District Magistrate, has declined to address Government for a special Magistrate or to reconsider the previous order. As I have been granted leave and awaiting relief here is no use of my re-commencing the enquiry and

~~with~~ jurisdiction powers. Adjourned to 19-8-46. Issued summons to the accused.

Case records submitted to the District Magistrate proposing them to transfer to the file of the A.F.C.M. Bellary. Orders awaited. Adjourned to 31-8-46.

Records not received from the District Magistrate, Bellary Orders Awaited.

T IN CALENDAR . CASE No. 49/47 ON THE FILE OF THE FIRST CLASS MAGISTRATE - BELLARY.

The file transfered by the District Magistrate in C. .P. 51/46 dated 22-8-47 at is taken file and post it to 18-8-4 at Hospet and intimated the C.C.No. to the District Magistrate . Summons the accused.

All the accused are present. Adjourned to 20-3-47 at Hospet Bind over the accused A.P.P.1 and the pleader for the defence told in person.

All the accused are present. The case records are submitte to the District Magistrate. Adjourned to 9-4-47at Hospet Bind over the accused. Pleader for the defence and Asst. Public Prosecutor I told in person.

Case records submitted to the District Magistrate Await their return. The bonds of the accused are cancelled.

The case records since returned from the District Magistrate, Bellary. Adjourned to 7-5-47 at Hospet . Summon the accused. Issue notice to the vakils. ~~A.P.P.~~ A.P.P.I informed in person.

All the accused present. The records are received from the Sub Divisional Magistrate. Adjourned to 27-5-47 at Bellar for recording the statements of the accused. Bind over th accused. Pleader for the defence and A.P.P.1 told in pers Examined the accused and framed charges under Section 120 B and 406 Indian Penal Code, and recorded their plea of not guilty. Adjourned to 10-6-47 at Bellary. Bind over the accused for further examination. Pleaders for defence and A.P.P. 1 told in person.

Examined the accused after the charge. They wish to cross Examine P.Ws 1 to 8 , 17,18. after the char Adjourned to 24-6-47 at Bellary. Bind over the accused and summon P.Ws. 1 to 8 A.P.P.1 told in per The charges are slightly amended. Read over the charges and recorded their plea of not guilty. Adjo ed ed to 7-7-47 at Bellary. Bind over the accused and P.Ws. present. Summon P.Ws. 4 to 6,8 and 17 and 18 A.P.P.1 and pleaders for defence told in person. Further cross of P.Ws. 4,5 and 17 is over The other P.Ws. are absent. Adjourned to 15-7-47 at Bellary. Bind over the accused and summon the P.Ws. yet to be examined P.Ws. 1,2,3,6,7, and 18.

Further cross of P.Ws. 1 is over. Further cross of P.W.6 is given up. P.Ws 2,3,7 and 18 could not be examined as some records from Hospet. are to be got. Adjourned to 31-7-47 at Hospet. Bind over the accuse and P.Ws 2,3,6 and 18 Summon the Chairman Hospet records of the stores Stores as per the list furnished by the accused. A.P P.1 and Pleaders for the defence told in person the records from the stores are got just now and there is no time to go on with the case. It has taken a whole day to get at the records. Adjourned t 18-8-47 at Bellary. Bind over the accused and the P.Ws. present.

Further cross of P.W.7 is over. Marked Ex.D.17 to The further cross of P.Ws. 2 and 3 is left unfinish adjourned to 6-9-47 at Bellary. Bind over the accuse and P.Ws. 2 and 3. A.P.P.1 and pleader for defence told in person

Records submitted to the District Magistrate are not received. Parties informed.

The records are returned. Posted to 9-12-47at Bellary Summon the accused and the P.Ws yet to be examined after the charge. Issue notice to the A.P.P. 1 and pleaders for defence.

All the accused are present. Adjourned to 22-12-47 at Bellary. Bind over the accused and summon the P.Ws yet to be examined, after the charge. A.P.P.1 told in person.

All the accused are present. P.Ws 2 and 3 are absent. adjourned to 20-1-48 at Bellary Bind over the accused and summon the P.Ws. Pleaders for the defence told in person.

I came from Sirugunna only at I.P.M. The defence too not ready with the case. Adjourned to 21-1-48 Bind over the accused and P.Ws. 2 and 3. Pleader for the defence and A.P.P. 1 told in person.

Examined P.W.3 Marked Ex.D.36. Adjourned to 7-2-48 at Bellary. Bind over the accused and P.W.2who has to be examined Pleaders for defence told in person.

Examined D.Ws. 1 and 2. D.Ws 4 and 6 in the charge sheet are given up. The other D.Ws could not be examin as A.P.P.1 wanted the service of P.W.2 to cross examine the other D.Ws . Adjourned to 17-3-48 ~~to~~ ~~xxx~~ at Bella Bind over the accused and D.Ws present and ~~a~~ summon those who are absent. A.P.P1 and pleader for defence told in person.

All the accused are present. A.P.P. has put in a petition for and adjournment as his small who has to assist him has not turned up owing to the late receipt of the orders from the Registrar. Adjourned to 3-4-48. Bind over the accused and D.Ws present and summon those who are absent. A.P.P.1 and pleaders for defence told in person.

W 2 is overmarked Ex. D.37 to 39. Examined the accused at Bellary for defence. Bind over the accused and P.P. 1 and pleader for defence told in person.

Examined D.Ws. 3 to 5 Marked exhibits. D. 40 to 43
The other D.W. is dispensed with Adjourned to 4-4-48.
for arguments Bind over the accused A.P.P.1 and
Pleader for defence told in person.
Heard arguments adjourned to 16-4-48 at Bellary at
2. P M for futher arguments. Pleaders for defence and
A.P.P.1 told in person. Accused are already bound over
to 16th.
Heard arguments. Adjourned to 28-4-48 for judgement.
Bind over the accused A.P.P.1 and pleaders for defence
told in person.
Not guilty Acquitted under section 258(1) Cr.P.C.

Mem. no. 14b2 3 B/48-8 dated 29-8-49

Dy Collectors - S.D.Hs: - Delay in the disposal of the Hospet Co-operative Stores misappropriation case - Explanations

From the Bd. of Rev. Ref. No. D. 2280/48-4 (C) dt 20-5-49.

From the extract of the ~~case~~ Memorial diary relating to the case submitted with the B/reference cited above, it is seen that Sri Y. Pitchi Reddi, Dy Collector, addressed D.M. on 19-8-46 for the transfer of the case to the A.F.C.M, Bellary ~~on his~~ CMP 51/46 dated 22-2-47, the D.M passed orders transferring the case to the ~~file of the~~ A.F.C.M, Bellary. It is not clear whether the matter was pending with the D.M. from 19-8-46 to 22-2-47 and if so why it was pending with him for over 6 months and

2

whether the S.D.M. took any steps to get the order of the D.M. earlier. The Board is requested to obtain and submit a ~~further~~ report on these points and ~~it is~~ also ~~requested to report why the case was~~ transferred ~~on this occasion~~ this time to the A.E.C. in ~~this occasion~~ such ~~Q. 8 belongs to~~ when ~~the~~ requests for transfer has been refused ~~on several occasions~~ previously. The connected records should be obtained and submitted to the Govt

29

Memo No 14603 B/47-8 dt 12.1945.

Deputy Collectors - Abdul Rahman (Janab) S and Muthuswami Padayachi (Sri) M - Delay in taking action to dispose of the Hospet Cooperative Stores Misappropriation Case as S.D.Os Hospet and Bellary respectively - Disciplinary action ordered passed

Govt memo No 62857 B II/47 Dev dt 1-3-48

Board's Rep No D 2286/47-3 dt 10-3-48
No D 2286/47-4 dt 20-3-48

The Govt have perused the explanations of Janab S Abdul Rahman and Sri M Muthuswami Padayachi, Dy Collectors, for the delay on their part in taking action to dispose of the Hospet Cooperative Stores Misappropriation Case, when they were S.D.Os Hospet and Bellary respectively. They pass the following orders :-

2. Janab S Abdul Rahman The Govt observe that Janab S Abdul Rahman applied to the District Magistrate for the transfer of the case to some other magistrate on the ground that one of the PWs in the case was his son-in-law, that the parties themselves were moving the authorities for the transfer & and that the High Court finally ordered the transfer of the Case to the S.D.M., Bellary. In the circumstances, the Govt do

Commission that any action is called for against the Dy Collr. The proceedings against Jamal S Abdul Rahman are accordingly dropped

3. Sri M. Muthuswami Padayachi

~~Commission~~ that Sri M Muthuswami Padayachi took no special effort to proceed with the Case & that he was more intent on getting rid of it. They, however, observe that he was busy with procurement and other work & that, ~~the~~ without detriment to that work he could not have effectively attended to the Case which was voluminous. They accordingly take a lenient view of the matter & let off Sri M Muthuswami Padayachi with a severe warning

~~4~~ The Govt's report called for vide ~~from~~ memo No 14603/Vig-A/Rev of)

Confidential:

REVENUE DEPARTMENT

DEPUTY COLLECTORS - Sub Divisional Magistrates - Delay in the disposal of Hospet Co-operative Stores - Misappropriation Case - Explanations - Further report submitted.

Ref.No.D.2286/48-5(C).

Station:-Madras. Dated 24th September 1949.

From

Sri P.M.Jayarajan, Bar-at-Law, I.C.S.,
Secretary, Board of Revenue, Madras.

..

Sri S. Ranganathan, I.C.S., Commissioner of Land Revenue.

Read the following:-

Government Memo.No.14603-B/48-8, Revenue Department, dated 29-8-49.
From the District Magistrate of Bellary, Ref.C.No.3032/49-E1, d/11-9-49; and 12-9-49.

REFERENCE:

Copies of the District Magistrate's reports and the records in C.M.P.52/46 of the District Magistrate, Bellary together with the case records received from the District Magistrate, Bellary are submitted. It may be seen from the Office note of C.M.P.52/46 that the case in question was ordered to be transferred to the Additional First Class Magistra Bellary for disposal in High Court, Cr.M.P.1251/45 dated 13-9-46 (copy of the order is found at pages 603 and 605 of the case records). The withdrawal petition was filed subsequently on 17-9-46 and the records contained in C.M.P.52/46 indicate the several stages before disposal. The District Magistrate, Bellary ordered intimation to be given to the Deputy Registrar of Cooperative Societies even immediately after the petition was presented. The several adjournments given in this connectio in regard to the withdrawal of the petition were inevitable due to want of opinion from the Officers of the Cooperative Department. On all the occasions on which the officials of the Cooperative Department attended, they were hopeful of the case being withdrawn and the District Magistrate had to wait for the final opinion of the Registrar of Cooperative Societies apart from the merits of the case which has however ended in acquittal. As may be seen from the records, the District Magistrate passed orders dismissing the petition on 22-2-47 on the very same day on which the reply of the Deputy Registrar of Cooperative Societies was received.

2. In this connection it is submitted that Mr.K.N.Anantaraman was the District Magistrate during the period. He says that he was assured at every adjournment that the Registrar was likely to recommend the withdrawal of the case. As regards the Sub Divisional Magistrate, Bellary not taking steps to get the orders of the District Magistrate it may be seen from the records that the High Court passed orders in C.M.P.No.1251/45 dated 13-9-46 transferring the case in question to the Additional First Class Magistrate, Bellary from his court and by this order he ceased to have jurisdiction over the case.

Copy of Confidential letter Rc.7400/48-E1, dated 5-8-48 from Sri K.N. Anantaraman, I.C.S., District Magistrate, Bellary to the Secretary, Board of Revenue, Madras.

...

Sub:- CRIMINAL JUSTICE - Case of misappropriation against the Ex.President & Others of Hospet C.S. - Delay in disposal.
Ref:- Board's Ref.D.2286/48-3, dated 29-6-48.

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As regards the information, called for in paragraph 2 of the Board's reference cited above, I submit that the Sub,Divisional Magistrate, Hospet, received the D.M's orders refusing to transfer the case on 30-7-45 and that the counsels for the accused filed adjournment petitions in the court of the Sub Divisional Magistrate, Hospet, on 18-8-45 and 23-10-45 to enable the accused to move the superior courts for transfering the case.

2. As regards the point, raised in paragraph 3, this office L.Dis.C.1553/46 shows the case-records as having been despatched to the Additional First Class Magistrate, Bellary, from this Office on 23-9-46 - just a few days after the High Court passed orders transfering the case to the file of the Additional First Class Magistrate, Bellary. But, the Additional First Class Magistrate says that he received the records from the Sub Divisional Magistrate, Bellary on 7-5-47. I have asked him to explain this discrepancy in order to find out where exactly the case-records were during the period from 23-9-46 to 7-5-47. I shall submit a further report on hearing from him.

(Sd) K.N.Anantaraman
District Magistrate, Bellary.

Copy of Confidential letter Rc.7400/48 dated 21-10-48 from Sri K.N. Anantaraman, I.C.S., Collector, Bellary to the Secretary, Board of Revenue, Madras.

Sub:- Criminal Justice - Case of misappropriation against the Ex.President and others of Hospet Cooperative Society - Delay in disposal - Further report - Submitted.
Ref:- Board's Ref.D.2286/48-3(C), dated 29-6-48
My Rc.No.7400/48-E1, dated 5-8-48.

In continuation of my letter cited above, I submit that a withdrawal petition filed by the accused under section 494 Cr.P.C. was pending in this Court, when the case records were received on 23-9-46, from the High Court. Though the records were sent to the Additional First Class Magistrate, Bellary formally on 23-9-46, they had to be recalled for reference in connection with the accused's petition under Section 494 Cr.P.C. This petition was disposed of on 22-2-47 and the withdrawal of prosecution, applied for, was refused. The Cooperative department had to be consulted in the matter and the Deputy Registrar of Cooperative Societies sought instructions from the Registrar. In these circumstances, the petition could not be disposed of earlier. The case records were finally sent to the Additional First Class Magistrate, Bellary and acknowledged by his Office on 25-2-47. He took the case on file on 4-3-47.

2. The case records were again called for in connection with a memorial to Government from one of the accused and submitted in obedience to Government Memorandum No.62857-2(Dev.Dept.) dated 12-8-47. The records were returned to the Magistrate on 15-11-47.

3. In these circumstances, there could not be any appreciable progress in the conduct of the case in the court of the Additional First Class Magistrate, Bellary at the beginning.

(Sd) K.N.Anantaraman
District Magistrate.

Read:

3 Cf — Govt. Memo. No. 62857 Poll/49. Dev. dated 1-3-4

4-5 Cf — From the Bd. of Rev Rafes. D 2286/48-3 Confdl. dated 10-3-49.

17-18 Cf — From the Bd. of Rev Rafes. D 2286/48-4 (C) dated 20-5-49.

27-28 Cf — Govt. Memo No. 14603 B/48-8 Rev dated 29-8-49

29-30 Cf — From Govt Memo No 14603 B/48-8 dt Rev dated 12-10-49:

31-32 Cf — From the Bd of Rev Rafes. No D 2286/48-5 (C) dated 24-9-49.

G.O. Ms No. 41 dated. 7-1-50

The Govt. have perused the explanation of Sri Y. Pitchi Reddi Dy. Coll^r for the delay on his part in taking action to dispose of the Hospet Coop. Stores Misappropriation case when he was S.D.M Bellary. They observe that on 19.8.46 Sri Pitchi Reddi applied to the Dt. Magistrate Bellary for the transfer of the case to the Addl. First Class Magistrate Bellary and that the case was subsequently transferred to the Addl. First Class Magistrate. In the circumstances the Govt. consider that no action is called for against Sri Pitchi Reddi. The proceedings against him are accordingly dropped.

Development Department.

Extract from the ~~Current~~ file No.62857.F.47.

** **

Why is this case dragging on.

O.P.R. 26.10. W.R.S. 27.10.

Orders in circulation at 'A' above. A draft memo is submitted for approval.

RK 28.10.47 A.R. 30.10.47 V.K.R. 30.10.47 S W.R.S. 31.10.

Issued as Memo No.62857-BII/47-3 dated 31.10.47.
From the Collector, Bellary, Reference 1638/47 Magl. dated 18.12.47

ORDERS IN CIRCULATION AT 'A' ABOVE.

Orders have been issued to the effect that the case against Mr.R.Chonchamma and others need not be withdrawn and should be expedited.

21 H.Premier's query at 'B' above:-

The circumstances under which the case has been dragging on are explained in detail at pp.(17-18)c.f. It would appear that the delay is due to the fact that the case was transferred by one Sub Divisional Magistrate to another without any action being taken either because the officer was transferred or because he was saddled with other urgent work such as procurement of food grains etc. and could not bestow his attention to this heavy case. The Collector has stated that he took up the case on 7.5.1947 and may take another two months to dispose of the case. The file may be circulated to H. .(L.A.) and H.Premier for perusal.

For perusal.

RK. 7.1.48 A.R. 7.1.48 V.K.R. 8.1.48 S ** W.R.S. 9.1.48

** We might call upon Messrs.Faroki Sahib, Padayachi and Pitchi Reddy to explain why they took no action to proceed with the case while they were S.D.Ms.

H.M.L.A. sd. 9.I.
H.Pr.

O.P.R.
7.2.48.

With reference to the orders of the Honourable Prem above a draft O.M. to the Bd. of Revenue is submitt for approval. Revenue department may see before i

MJ 10.2.48 V.K.R. 10.2.48. S.G. 11.2.48

Revenue Department. dated 11.2.1948.

To A.S.

Please see the notes from (the bottom on) page 8 ante. The draft memo may be perused and the file returned to Dev

sd. 15.2.48. sd17.2.48.

'A' on p.17 c.f. shows that Mr.Abdul Rahiman Sahib who succeeded Mr.Vojiuddin Sahib as R.D.O and S.D.M. Hospet in June 1945 did not also proceed with the case till it was transferred to the file of the S.D.M.Bellary in November 1945. When the other officers who did not pro with the case are to be asked to explain their failure, th is no reason why he should be left out. He may also be asked to explain.

L.S.R.

sd. 17.2.48. S.

Let me have the periods during which each S.D.M. was in charge.

G.V.

sd. 20.2.48.

To A.S.

Secretary's remarks at 'A' above.

A statement showing the periods during which each of the officers who worked as Sub divisional Magistrates Hospet in the Bellary district was in charge of the Hospet Co-operative Stores misappropriation case is given below. The case was first taken on file on 25.10.44 by th then Joint Magistrate (Mr.P.S.Viswanatha Ayyar) but befo he could enquire into it, he was transferred from Hospet, and the file was handed over to his successor, the late Mr.Vojichuddin Sahib on 27.12.44.

No.	S.D.M.	Name.	Period.
1.	R.D.O., Hospet	Mr.Vojichuddin sahib	from 27.12.
2.	R.D.O., Hospet	Mr.Abdul Rahiman Sahib	from 18.6. (case transferred to the fil Bellary on 26.11.1945).
3.	R.D.O. Bellary	Mr.Himayathullah Farukhi Sahib	fr
4.	R.D.O.Bellary	Sri M.Muthuswamy Padayachi -	from
5.	R.D.O.Bellary	Sri Y.Pitchi Reddi	from (Case transferred to the fil A.F.C.M. Bellary on 4.3.4

A.P.

sd. 24.2.48 sd. 24.2.48. L.S.R. sd. 25.2.48.

The explanation of No.(2) above may also be obtained in addition to Nos.(3) to (5).

GV. 27.2.48.

86B/48

Dev.

Dev. 24495.BII
dt.28.2.48.

To A.S.

The draft as amended in pencil may issue. After issue this file may be transferred to Revenue Department as they are only competent to deal with Dy. Collectors in consultation with Home Department, if necessary.

sd. 28.2. S.G. sd. 1.3.48. D.S.

I think the proper thing to do is to take extracts and send them to Revenue for taking departmental action against the magistrates concerned. The papers may then be closed in Development.

C.V.N.
1.3.48.

Please see the notes from page 1 ante

2 The file deals with the question of taking disciplinary action against the Sub-Divisional magistrate of Hospet who were responsible for the long delay in the ~~prosecution~~ disposal of the Hospet Co. operative Stores misappropriation Case, Bellary. The names of the Sub-divisional magistrates who were in charge of the trial and the period of delay by them are given in the statement on pp 2 ante. The Board was asked to obtain the explanations of Nos. (2) to (5) for their failure to take action while they were S.D.Os Jr. Himayatullah Farukhi is no longer in service & resigned from the M.C.S. (Exbo). The explanations of the other 3 Dy. Collectors are on pp 6 - 12 C.f. The Board has examined the explanations and observes that it is difficult to hold anyone seriously to blame. For orders whether any further action is called for.

Development and Home may see before Circulation

The Board's view may be accepti

24.3.49 S. and an
of forts

D

Subordinates
Conveyed to all the Depts. Concern
This is suggested because, in the Bd
~~Govt~~ view, it is difficult to
fasten blame on any particular
officer

8y/30 3 49

Dev
Home

Rev. no no.
14603B/65.4.
31.3.49

36283A/41

Development Dy

The file deals with the question of
taking disciplinary action against the officers
concerned who were responsible for the long
delay in the disposal of the Hospet Co. op
Store, Bellary. Rev Dept. note from p 4 above may be perused
in the case
They may be requested to ~~send~~ circulate the H&H (L.A) also.
The file may be passed on to Home

31/4/49 Dy
4/4/49

Dev no 36283A/B II/45
5.4.49

S Rev Dy/Home

WR.
5/4

Home Dept.

Notes from p 5 above
May be perused and the file returned to the
Rev. Dept. Public (Military) Dept. are concerned with the
"conduct of magistrates". The Revenue Dept. may let that Dept.
see the file.

9.4.49

Rev

tantamount to and indistinguishable from Censure. A Show Cause notice will have to be issued under Rule 15(a) of the C.S. (C.C.&A) Rules to all the Sub. Divisional magistrates Concerned. Perhaps, as soon as it is for consideration whether their attention Board of Rev. may be asked to point out to them the lapses as stated at concerned instead of following the procedure under Rule 15(a) of the C.S. (C.C.&A) Rules. This seems unnecessary. B 16/4/49
the officers A to B on p 5 c.f.a. For orders.

Pub (ser), Pub (reg), Dev. and Home may see before Circulation..

It is subd that the Board maybe asked to issue a Memo to the ROD No 2 to 5 at p 2 ante asking them to show Cause why they should not be censured for the faults mentioned at B on p 5 c.f.a in dealing with the criminal case.

The depts mentioned in the last sentence of the Offr note above maybe

15/4/49 S

12.4.49.
Pub 12.4.49.

This kind of unwieldy procedure is wholly unsatisfactory.

Put for orders how the Revisional duty delay in this case is pertaining to the levels the Offrs were in Grade 1st Class. Br. is asked, with reference to his observations; & with reference to the observations of the Offrs, how far each of them is blameworthy as a Br. Offr.

16/4

A draft memo is subd for approval. Pub (reg) Dev and Home may see before issue.

25/4/49 Pub (Sec) Dev, Home (a) ✓

ADDITIONAL ASSISTANT SECRETARY TO GOVT.
16442
07 APR 1949
PUBLIC DEPARTMENT

Rev. memo. 14603

Public (Mily.) Dept.

The notes from ~~x x~~ on p. 4 ante and the memo issued to the Bd of Rev. on pp 13-14 c.f. may be perused and the file passed on to the Dev. Dept

ABL
3.5.49 Home

Pub (milly) no
1642/49:1
3-5-49

30-4-49
29/4/49

ASSISTANT SECRETARY TO GOVERNMENT
5 MAY 1949
HOME DEPARTMENT

Development Dept

Please see this Dept's noted on p 5 ante and the further note of the Rev Dept on pp 5-6 ante and the memo on pp 13-14 c.f. may be perused and the file passed on to Home.

40135
4/5/49
3/5/49.
4/5/49

Dev no 47794/B1/47
3-5-49

25/4 Home

Home Dept

~~The memo. on pp 13 c.f. note from p 4 ante~~ may be perused and the file returned to the Rev dept.

10.5.49
10/5/49
10/5
10 5 49

Rev

Rev.
Rev. Dept.

ASSISTANT SECRETARY TO GOVERNMENT
12 MAY 1949
REVENUE DEPARTMENT

~~Home Dept~~
40,35
12/5/49

To A.S.

The Board's reply to the memo on pp 13-14 c.f. may be awaited till 25-6-49.

Regd. 38319
12/5/49

16-5-49
Rev

17/5/49

B.1

XX
17.5.49

(From the Bd. of Rev.D.2286/48-4 dated 20th May 1949).

To A.S.

Please see --

(i) the notes from page 4 ante,

(ii) the explanation of the S.D.Ms. on pp.6-14 c.f.

(iii) the memo on pp.15-16 c.f.

(iv) the Board's reply ~~and its encls.~~ on pp.17-28 c.f.

and (v) the extracts from the magisterial diary relating to the trial of the Hospet Co-operative Stores' Misappropriation case for the periods when the 3 S.D.Ms. in question were in charge, ~~at pp.19-26 c.f.~~

2. The case was taken on the file of the ~~District~~ Magistrate, Hospet on 25-10-44 and was transferred to the Court of the S.D.M., Bellary on 26-11-1945. Finally the case was transferred to the A.F.C.M., Bellary and taken up by him for hearing on 4-3-1947. The following Magistrates were in charge of the case:-

(1)	P.S.Visvanatha Ayyar, Jt. Magistrate, Hospet.	From 25-10-44 till his transfer on 17-12-44. ~~(2 mths and 22 days)~~
(2)	Mr.Voghiuddin Sahib, S.D.M. Hospet	27-12-44 to 15-6-45 ~~(5 mths and 15 days)~~
(3)	Mr.Abdul Rahiman Sahib, S.D.M. Hospet	From 18-6-45 to 26-11- ~~(5 mths and 8 days)~~
(4)	Mr.Himayatullah Farukhi, S.D.M., Bellary	From 26-11-45 to 15-4- ~~(4 mths and 20 days)~~
(5)	Mr.M.Muthusami Padayachi S.D.M., Bellary	From 15-4-46 to 1-8-4(~~(4 mths, 15 days.)~~
(6)	Sri Y.Pitchi Reddi S.D.M. Bellary	From 1-8-46 to 4-3-47 ~~(7 mths 4 days)~~

In Dev. Dept. Memo No.62857 BII/47-4 dated 1-3-48, the Bd. was asked to obtain the explanations of the S.D.Ms. Nos.(3) to (6) above as to why they took no action to proceed with the case and to submit them with its remarks. Mr.Himayatulla Farukhi (6) has since resigned the service and left for Pakistan. The explanations of Nos.(3) (5) & (6) and the Board's remarks thereon are on pp.4-14 C.F. The extracts from the magisterial diary relating to the case and the Board's remarks on the responsibility of each Magistrate for the delay in proceeding with the case are at pp.17-26 C.F.

3. The extracts from the magisterial diary would appear to show that no real effort was made by the three S.D.Ms. Nos.(3) (5) & (6) to take up the case for hearing. The case records are said to be bulky occupying a gunny bag and a wood and this seems to have deterred the magistrates from proceed-

with the case. The responsibility of each of the Magistrates mentioned in paragraphs (3), (5) & (6) for the delay in the trial of the case is dealt with below.

4. Abdul Rahiman Sahib: He took charge as S.D.M., Hospet on 18-6-45 and continued as such till 6-4-1946. He got first class magisterial powers about the first week of July 1945. Soon afterwards he requested the Collector to transfer the case to the file of some other magistrate on the ground that P.W.1 who had investigated the case and launched the prosecution was his son-in-law. The Collr.'s refusal to transfer this case was received on 30-7-45. On 31-7-45 the S.D.M. adjourned the case to 18-8-45 for the reason that the prosecution witnesses were not present. ~~(On 18-8-45 the S.D.M. was aware that the pleader for the accused had moved the D.M. for the transfer of the case. Till 6-10-45 he was awaiting the orders of the D.M. regarding the transfer of the case to the file of some other magistrate. Apparently the Collr. did not grant the request of the accused for the transfer of the case. Hence on 23-10-45 the accused wanted to move the High Court for the transfer and the orders of the High Court directing the transfer of the case was received on or about 26-11-45. The S.D.M. anticipating that either the Collr. or the High Court would pass orders for the transfer of the case did not make any earnest efforts to go on with the case.)~~ On 18-8-45 the pleader for the accused filed a petition for adjournment on the ground that he had moved the D.M. for the transfer of the case. The S.D.M. accordingly adjourned the case to 3-9-45. As the D.M.'s orders were not received the S.D.M. granted two more adjournments. The D.M.'s orders again refusing to transfer the case seem to have been received just before 23-10-45. On 23-10-45 the S.D.M. again adjourned the case to 23-11-45 on the ground that the pleader for the accused asked for an adjournment for a month, as he wanted to move the High Court for the transfer of the case. As the orders of the High Court were not received on 23-11-45 the S.D.M. adjourned the case again to 5-12-45. Orders transferring the case to the file of the S.D.M., Bellary were received on 26-11-45. It will be seen that the

S.D.M. had freely granted adjournments for the reasons that the accused had moved the D.M. for the transfer of the case or he would move the High Court in this matter and that in expectation of orders from either the D.M. or the High Court transferring the case, the S.D.M. had not made any earnest efforts to go on with the case.

5 M.Muthusami Padayachi: He was S.D.M., Bellary, from 15-4-46 to 31-7-46. On 25-4-1946 he addressed the D.M. to transfer the case to the A.F.C.M. and adjourned the case sine die. In his CMP 19/46 dated 13-5-46 the D.M. declined to transfer the case to the A.F.C.M., Bellary. The S.D.M. says that As there were a large mass of records to be studied and as he had other urgent work like procurement and Jamabandi to attend to he could not take up the case for hearing on 24-5-46. He therefore adiourned the case to 10-6-46. On 10-6-46 he had again to adjourn the case to 21-6-46 on the plea of other urgent work as he had again no time to study the case records on 24-6-46 he addressed the D.M. on 14-6-46 for appointing a Spl.Magistrate to try the case. As Collr.'s orders were not recd. he again adjourned the case to 8-7-46. The Collr. declined to appoint a Spl. Magistrate. Though the Collr.'s orders were received by the S.D.M. on 27-6-46 the case records were received only on 6-7-46. He therefore adjourned the case to 20-7-46 and issued summons to the accused. In the meantime the S.D.M. appears to have again addressed the D.M. regarding the employment of a Spl.Magistrate to try the case. The Collector declined to reconsider his previous orders. As the S.D.M. was granted leave and awaiting relief he did not proceed with the case on 20-7-46. He therefore adjourned to 3-8-48 and left it to his successor to deal with the case.

The S.D.M. from the beginning did not devote any time to the case. His plea is that he had more urgent work to attend to, namely procurement, famine relief etc. He was anxious to get rid of the case as will be evident by the fact that soon after he took charge as S.D.M. he requested the Collr. to transfer the case to the A.F.C.M. and when that was refused he again addressed the Collr. twice for the

appointment of a Spl.Magistrate for the trial of the case. There seems to be no doubt that the S.D.M. was dilatory and that he did not take a serious view of the matter.

6. Sri Y.Pitchi Reddi: He was S.D.M., Bellary from 1-8-1945 till 19-9-1948. The case stood posted to 3-8-46. As he had not been invested with first class powers ~~as he was not invested with first class powers~~ ~~on 3-8-46~~ he adjourned the case to 19-8-46. On 19-8-46 he addressed the District Magistrate for the transfer of the case to the A.F.C.M. and again adjourned to 31-8-46. He had noted in the diary against 31-8-46 that the records were not received from the D.M. In his CMP 51/46 dated 22-2-47 the District Magistrate passed orders transferring the case to the file of the A.F.C.M., Bellary. There is no information whether during the period from 19-8-46 to 22-2-47 when the question of the transfer of the case to the A.F.C.M. Bellary was pending with the District Magistrate, whether the S.D.M. ~~had~~ reminded the District Magistrate in the matter. Presumably he took no action to remind the District Magistrate. As the S.D.M., ~~soon after he was invested with powers,~~ moved the D.M. for the transfer of the case to the A.F.C.M., Bellary it is evident that he also was anxious to get rid of the case.

7. The Board recommends that all the three S.D.Ms. may b warned especially Abdul Rahman Sahib and Muthuswami Padayach who may be severely warned. As all the three S.D.Ms. were dilatory in the handling of the case and did not apply their mind seriously to the trial of the case it is for orders whether all the three S.D.Ms. may be ~~xxxxx~~ severely warned. If so no show cause notice will be necessary as warning does not amount to censure.

8. Pub.(Mil.), Dev. and Home may see before circulatio

Dev Dept

~~logged~~ Notes from page 7 above may be perused. No remarks seem called for in this department. The case may be passed on to Public (Mil)

16/4/49

28/4/49 DS) Pub (Mil)

Pub (Mil)

67715

14

Def. Dept. D

Please see Pub. (Mil.) dept. note on p. 13 ante. The file may be returned to Pub. (Mil.) after perusal by Dy. Secretary.

2/7/49

Dy. Secy. (Mil.) Pub. (Mil.)

D. / G. L. (Mil.)

- I The clerk was returned it to Pub. (Mil.) Dept. I also marked this case to him. (See the clerk's reply. It is not mail mistake

Dy. Extract taken

ADDITIONAL ASSISTANT SECRETARY TO GOVERNMENT
2709
6 JUL 1949
PUBLIC DEPARTMENT

Public (Military) dept.

[Last seen in this dept. on p. 7 ante]

Def. U.O. 6771 S BII/49-1

4-7-49

The further notes from XX on p. 7 ante may be perused. No remarks seem called for in this dept. The file may be passed on to Home dept

U.O. 2709/leg-1

11.7.49

2-7-49

8.7.49

Home

Home Department.

The file deals with the delay in the disposal of the Hospet Co-operative Stores Misappropriation case, Bellary. The case was filed before the Joint Magistrate, Hospet on 25-10-44 and was transferred to the A.F.C.M, Bellary on 22-2-47. The case was finally disposed of by the Magistrate on 29-4-48 and the accused were acquitted. The delay in the disposal of the case was noticed by the Govt. in Oct.1947 in connection with the request for the withdrawal of the case and a report was therefore called for from the Collector. The report indicated that the S.D.Ms. mentioned below had not taken any action in regard to the disposal of the case:-

Name	Period.
1.Abdul Rahman Sahib	18-6-45 to 26-11-45
2.Himayatulla Farukhi	26-11-45 to 15-4-46
3.Sri Muthuswami Padayachi	15-4-46 to 1-8-46
4.Sri Pitchai Reddi.	1-8-46 to 4-3-47.

H.M.,L.A. and H.Pr. had ordered in circulation that the officers in item (2) to (4) may be called upon to explain why no action was taken to proceed with the case. Revenue Secretary ordered that the officer in item (1) also may be called upon to explain. The Board has since obtained the explanations of only three officers, as Himayatullah Farukhi Sahib has resigned ~~the post~~ and left for Pakisthan. The Board of Revenue had orginally reported that an examination of the explanation of the S.D.Ms. showed that while it was difficult to any one seriously to blame, there was a general lack of awareness of the long pendency leading to no special effort on the part of the authorities to get a move on and that adjournments were given on very flimsy grounds. The Board was therefore asked to ascertain with reference to the extracts ~~of~~ from the case diary, how far each of the officers was to blame. The Baard has observed that though all the three officers were responsible to some extent in not taking up the case for trial, and that as the Co-operative Dept. was trying to withdraw the

case, the Magistrates thought that it was not worthwhile proceeding with the case and recording evidence. It has recommended ~~recorded~~ that all of them may be warned but that Abdul Rahman Sahib and Sri. M.Padayachi may be severely warned. The Revenue Dept. have examined the explanations in detail in their notes on pp. ~~6-12~~ 7-12 ante. The Revenue and Public Depts. have no remarks to offer. The following remarks seem called for

(1) Abdul Rahiman Sahib. -(~~18~~ 15-6-45 to 26-11-45 - p. 20 c.f. and pp 6-7 ante)

The S.D.M. had applied to the D.M. for the transfer of the case on the ground that one of the P.Ws. ~~one~~ was his son-in-law. The D.M. rejected the request. The parties then moved the D.M. ~~and~~ but the request was negatived. They moved the High Court which transferred the case to another S.D.M. The Revenue Secretary considers that if 'A' above is conceded, then it would not be fair to urge that the Magistrate should have taken ~~it up~~ up the case with him meanwhile, that having addressed the D.M. for the transfer of the case, it was not improper that he should have waited for orders and that later a petition having been filed before the High Court under sec. 526 Cr.P.C., the Magistrate had no option but to adjourn. If this is so, it would seem that the D.M. is to blame ~~not~~ in having ordered the transfer of the case when the first application was made to him. The Revenue Secretary considers that no action need be taken against the officer. For orders whether this department may agree with Rev. Secy. explan

(2) Sri M Muthusami Padayachi. (15-4-46 - ~~8-8-46~~ 20.7.46 pp.8-13 & 22 c.f.

The Magistrate had addressed the D.M. for re-transfer of the case to the S.D.M., Hospet as ~~it~~ Abdul Rahiman Sahib was no longer there and later for the appointment of a special Magistrate for the trial of the case or for its transfer to the F.C.M. All these requests were turned down by the D.M.

The Revenue Dept. have remarked that no doubt the case was definitely heavy one with voluminous evidence and the Dy. Collector had to devote special attention to procurement work. But the fact remains that he took no special effort to proceed

it. The Revenue Secretary therefore considers that a censure is called for.

The case on all accounts was a heavy one. There were 19 P.Ws. It was heard by Mr. Vozhiuddin Sahib from 29-1-45 to 10-6-45 - for about 16 days and exhibits were marked till 3 letters series. The A.F.C.M. to whom the case was finally transferred has reported that there was a gunny bag load of records, that it took him a month to search and recover all the exhibits from the several court but that the case could not be pushed through because most of the P.Ws. who were officials of the Co-operative Dept. were scattered all through the Presidency and to get at their correct address and summon them took nearly 3 months. The A.F.C.M. took from 18-3-47 to 28-4-48, ie. about a year. It would seem that the S.D.M. with his multifarious duties and heavy procurement could not have devoted the undivided attention required and it was a fit case to be transferred to a Magistrate's court like the A.F.C.M. As stated by the S.D.M. for such complicated and lengthy cases, magistrates are being appointed. It would seem that the D.M. did not appreciate the weight of the arguments of the transfer of the case or to address the Govt. for appointing a special magistrate. It is perhaps unnecessary to call and examine the reports of the S.D.M. to the D.M. and the later proceedings relating to the case.

In view of the total period during which the trial of the case dragged on and the time taken for its actual disposal by the A.F.C.M. it would seem that the delay by the S.D.M. was not serious and severe warning recommended by the Board seems sufficient. For orders.

(3) Sri Pitchi Reddi - 3-8-46 to 3-3-47. p.14- c .f. and pages 22-23 c.f.

S.D.M. had addressed the D.M. on 19-8-46 to transfer the case to the A.F.C.M. and the D.M's orders were received on 22-2-47. The Revenue Dept. propose to

obtain a report as to why it was pending for six months and what steps the SDM took to get the orders of the D.M. The D.M. may also be asked to report what was the cause for the delay in dealing with the request and why it was transferred in this occasion after its transfer had been refused on several occasions previously. The connected records may also be called for reference.

taken up the trial himself - to the detriment of procurement & other work & even a censure would appear to be not fully justified"

5/7/82

Govt. of A.P. Rev.

To AS.

The file deals with the question of taking disciplinary action against the following Deputy Collectors who as S.D.Ms. of Hospet and Bellary did not take action for the long delay in the disposal of the Hospet Co-operative Stores misappropriation case. Bellary

(1) S. Abdul Rahumisha Sahib Bahadur.

(2) Sri M. Muthuswami Padayachi and.

Y. Pitchi Reddi

The Board of Rev. originally reported that, on an examination of the explanations of the 3 D.Cs, it found that while it was difficult to blame any person, there was a general lack of awareness of the long pendency, leading to no special effort to get a move on. The Bd also found that adjournments had been given on very flimsy grounds. The Board was asked to fix the responsibility of the officers individually, with reference to the material relating to the case and the explanations offered by the officers and submit a report. The Board has reported that all the officers were responsible to some extent in not taking up the case for trial,

~~not retract~~ and that as the Co-operative Deptt. was trying to withdraw the case, the magistrates naturally thought that it was not worthwhile proceeding with the case. In these circumstances ~~and according~~ the Board has ~~evidence~~ recommended that all the three ~~D.C. Collectors~~ ~~S.D.Os.~~ may be warned, ~~especially but that~~ S. Abdul Rahman Sahib Bahadur and Sri M. Muthuswami Padayachi, who ~~weighed~~ may be severely warned

The explanations of the 3 officers + the Rev's report have been examined in detail on pp 9-19 above.

S. Abdul Rahman Sahib Bahadur

The Board of Rev. has recommended that he may be warned severely. This Deptt. is not ~~to propose~~ for taking any action against him for the reasons ~~stated~~ that ~~as pp 11-12 above~~. Home ~~agree~~ Two Ministers agree with Revenue that no action need be taken against him. The further proceedings against him may be dropped. For orders. /A

Sri M. Muthuswami Padayachi.

The Board of Rev. has recommended that he may also be severely warned. This Deptt. however considers ~~Consider that a severe warning is not sufficient and~~ that a censure is called for. ~~For reasons p 12 ante~~. But, for the reasons stated at Para pp 18-19 ante Home ~~do not agree with this Deptt. and they~~ Consider that a censure is not fully justified For orders whether he ~~may~~ will be censured or severely warned ~~as recommended by the Board of Rev.~~ or whether no action will be taken

Sri Y. Pitchi Reddi

The Board of Rev. has proposed that he may be warned. ~~From the~~ On 19-5-46, he applied to the D M for the transfer of the

Case to the HFCM. The DM wants the transfer on 22.2.47). ~~explanation and extract of the diary~~, It is not clear whether the matter was pending with the D.M. from 19-8-46 to 22-2-47, why it was pending with him for over 6 months and whether the S.D.M. took any steps to get the orders of the D.M. ~~It is proposed to Collect~~ This dept. proposes to call for a report on these points from Board. Home agree with this Dept. and Consider that a ~~further~~ report may also be called for with the connected records on the Cause for the delay by the D.M. in dealing with the request for the transfer of the case and why it was transferred on this occasion after its transfer had been ~~rejected~~ refused previously on several occasions. A draft memo to the Board of Rev. is submitted for approval ~~Further report may be awaited~~ After this the file may be Circulated for orders on 'A' and 'B' on 20 ants

12.9.49.

SECRETARY TO GOVERNMENT
5 SEP 1949
REVENUE DEPARTMENT

Dy Colls Concerned viz- Sri Y Pitchi Reddi

The Bd has been asked to furnish details

& the question whether any, & if so what, action shd be taken against him will be decided after the Bd's reply has been received & considered. It seems desirable to pass a single order on all the 3 Dy Colls. ~~Accordingly~~ The Bd reply may be awaited

I dont think it is necessary to delay issue orders re: Janab S. Abdul Rahman and Sri. M. Pattiswami Satyapathi. Please draft

12/9/49

Fr AS

Draft subs. Home & Dev may perhaps see before issue

18/9

9/9/49

S

11/9

Home

93186

24.S.cy

ASSISTANT SECRETARY TO GOVERNMENT
24 SEP 1949
HOME DEPARTMENT

(Previous note of this Dept. on page 13 ante) Desk Dept

The draft memo below may be perused and the file returned to Rev Dept

6/10/49. [illegible]

10.10.49. Desk 45/Rev

IBII/49-1

10.10.49

Rev. Dept.

To AS.

Notes from the bottom of p21 ante may be perused. The report called for on pp 27-28 cf. has since been received. It will be examined and put up. The draft memo below may issue with the deletion of para.

11.10.49.

12/10/49

11.10.49

22

[Issued as Memo. No. 114603B/48-8 Rev. dt 12-10-49]

[From the Bd of Rev. Ref. D. 2286/48-5 dt 24-9-49]

To AS.

Please see the notes from xx on p19 ante.

2. Orders have since been issued in the memo at pp 29-30 cf dropping the proceedings against Janab S. Abdul Rahman and severely warning Sri M. Venkatarama Padayachi. ~~Proceedings against Sri T. Pitchi Reddy were~~ pending the receipt of the particulars called for in the memo on pp 27-28 cf. ~~29-30 cf.~~ No orders were passed regarding Sri Y Pitchi Reddy.

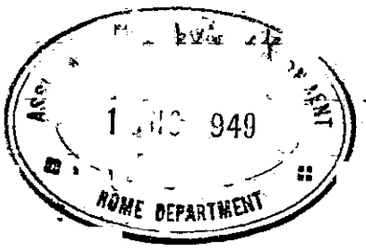
3 The Board has since furnished

the particulars called for in the memo at pp 27-28 q. Sri Y. Pitchi Reddy S.D.M. Bellary on 1.8.46. On 3.8.46 he adjourned the case to 19.8.46 on the ground that he had not been invested with jurisdiction powers. On 19-8-46 he submitted the case records to the D.M. and applied for the transfer of the case to the file of the A.F.C Bellary. On 13-9-46 the High Court passed orders transferring the case to the A.F.C.M. Bellary. The Bd has pointed out in para 2 of its By this order Sri Y. Pitchi Reddy ceased to have jurisdiction the case. Thus the case was actually pending with him only from 1-8-46 to 13-9-46. For orders whether further proceedings against him will be dropped or whether he will be warned as originally recommended by the Board of Rev.

As regards the delay with the D.M. Bellary, ~~it is seen from the records at (b) that the D.M. was not responsible for the delay~~ from 19-8-46 to 22-2-47, please see para 1 of Board's reference on p 31 also. The Bd considers that the delay was inevitable. ~~The transfer of the case to the Court of A.F.C.M. Bellary was ordered by the High Court.~~ No action is called

R.S.'s query at the bottom of p 24 ante.

The information is not available from the records sent to Govt. under Section 12 (2) of the ~~Cr.P.C.~~ Cr P.C the D.M. is competent to invest ~~L~~ DyCollr with jurisdiction powers. It is not known whether the D.M. had invested Sri V. Pitchi Reddy with jurisdiction powers by 19-8-46. ~~The information may be called for from the Board. A draft memo is submitted for approval. Home may see before issue~~



116041

7/11/49

Presumably Sri. Pitchi Reddy had been invested by Govt with jurisdiction powers by 19-8-46 when he applied to the D.M. for the transfer of the case to the A.F.C.M., Bellary. Otherwise he would have simply adjourned the case on the ground that he had not been invested with jurisdiction powers in the same way as he did on 3-8-46. The case was pending with him from 1-8-46 to 19-9-46 and he did not proceed to deal with the case as soon as he got jurisdiction powers. He may be warned as already recommended by the Board

Sec and Home may see before circulation

[Previous notes of this dept. at pp 5, 7 15-19 and p. 22 ante]

This file now deals with the question whether any disciplinary action should be taken against Sri. G. Pitchi Reddy, S.D.H, Ivg, for not taking suitable action on 1.8.1946 and 4.3.1947. for the disposal of the Hospet Co-operative Stores mis-appropriation case.

2. Please see the Revenue depts. note from X to X on p. 23 ante. Revenue dept. Consider that no action is called for against Sri Pitchi Reddy. They also Consider that no action is called for against the L.H, either, in the circumstances set out in para 1. of the Boards letter on p. 31 cf. This dept may agree with the view of Revenue above.

3. The case may be returned to Revenue

2.12.49 2-12-49

To Rs

3.12.49 8/12

Rev Dept

Public (Special) may also see with refee to 'X' on p 25 ante before circulation

10.12.49 13/12/49 Dept (Spl)

Please see the Home Depts note above. The file has been sent to Rev. Dept w.r.t. Rev. Secy's note on p. 25 ante. The D.P. Case Sri. K. N. Anantaraman. No action seems to be in this Dept. The file may now be sent to Rev

15.12.49

14005 15/48

Rev sept.

To As

The file deals with the question of taking disciplinary action against the following Dy. Coll^rs. who, as SDMs of Hospet ~~and~~ or Bellary, delayed taking action to dispose of the Hospet Coop. Stores Misappropriation case:-

1. Janab S. Abdul Rahman.
2. Sri M. Muthuswamy Padayachi and
3. Y. Pitchi Reddi

Orders have already been ~~passed~~ issued in Govt. Memo No. 14603 B1&8-8 Rev dated 12.10.49 dropping the proceedings against Janab Abdul Rahman and severely warning Sri Muthuswamy Padayachi. Regarding Sri Y. Pitchi Reddi some particulars were called for in the memo on ff 27-28 CF and they have been received.

2. Notes from Z Z on f 23 above may be read. In the circumstances stated at 'M' on f 24 above this dept. considers & the Home dept. agrees that no action is called for against Sri Pitchi Reddi. It is also considered that no action is called for against the then D.M., Bellary, Sri K.N. Anantaraman, in the circumstances set out in para 1 of the B/s' letter on f 31 CF.

3. Subject to orders a draft order is subtd. for approval

23/12/49

SECRETARY TO GOVERNMENT
6 - JAN 1950